

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION)	MDL 2804
OPIATE LITIGATION)	
)	Case No. 1:17-md-2804-DAP
This document relates to:)	
)	Judge Dan Aaron Polster
All MDL Tribal Cases (other than the)	
Tribal Bellwether Cases))	

PLAINTIFFS' TRIBAL LEADERSHIP COMMITTEE'S
MOTION TO MODIFY THE COURT'S ORDER SETTING PROCEDURE
FOR AMENDMENT OF COMPLAINTS AND INCORPORATION BY
REFERENCE OF MATERIALS UNDER SEAL FOR TRIBAL PLAINTIFFS

The Plaintiffs' Tribal Leadership Committee brings this motion on behalf of Plaintiffs in all MDL non-Bellwether Tribal Cases ("Tribal Plaintiffs") and hereby moves this Honorable Court for an order modifying the Court's *Order Setting Procedure for Amendment of Complaints and Incorporation by Reference of Materials Under Seal for Tribal Plaintiffs*, entered today (Doc. #1729). In further support, Tribal Plaintiffs state as follows:

It is with our most sincere apologies that we file this Motion. Shortly after the Motion for a Tribal Short Form Complaint Procedure was filed, it was brought to the attention of the filer that the attached Short Form Complaint template filed with the Motion had errors that needed correction. It was the intention of the undersigned to file a Corrected Motion this morning, but upon entry of the Court's Order (Doc. #1729), the Corrected Motion has now transformed into a Motion for Modification.

The Tribal Short Form Complaint attached to the original Motion had incorrect paragraph citations for the *Muscogee Creek* RICO Counts and other typographical errors relating to the RICO Counts, leaving Tribes who wish to adopt them without a clear and accurate mechanism for doing so. In order that the Short Form Complaint be usable to those

Tribes who wish to adopt the RICO allegations, Plaintiffs' Tribal Leadership Committee submits the attached revised Short Form Complaint, which fixes the errors.

WHEREFORE, Tribal Plaintiffs respectfully request that this Honorable Court grant their Motion. For the Court's convenience, Tribal Plaintiffs have attached a proposed order as Exhibit A, along with the abovementioned revised Tribal Short Form Complaint as Exhibit B.

Respectfully submitted,

Plaintiffs' Tribal Leadership Committee

Robins Kaplan LLP

By: s/ Timothy Q. Purdon

Timothy Q. Purdon
1207 West Divide Avenue, Ste. 200
Bismarck, ND 58503
T: (701) 255-3000
F: (612) 339-4181
TPurdon@RobinsKaplan.com

Tara D. Sutton
Holly H. Dolejsi
800 LaSalle Avenue, Ste. 2800
Minneapolis, MN 55402
T: (612) 349-8500
F: (612) 339-4181
TSutton@RobinsKaplan.com
HDolejsi@RobinsKaplan.com

Brendan V. Johnson
140 North Phillips Avenue, Ste. 307
Sioux Falls, SD 57104
T: (605) 335-1300
F: (612) 339-4181
BJohnson@RobinsKaplan.com

and

**Sonosky, Chambers, Sachse,
Miller & Monkman, LLP**
725 East Fireweed Lane, Suite 420
Anchorage, Alaska 99503
Telephone: (907)258-6377
Facsimile: (907)272-8332

And

Keller Rohrback L.L.P.

1201 Third Avenue, Suite 3200
Seattle, WA 98101
P: 206.623.1900
F: 206.623.3384

And

Hobbs Straus Dean & Walker

516 SE Morrison Street
Suite 1200
Portland, OR 97214
Tel: 503.242.1745
Fax: 503.242.1072

And

GILBERT LLP

1100 New York Ave., NW
Suite 700
Washington, DC 20005
Tel: 202-772-2200

And

Lieff Cabraser Heimann & Bernstein, LLP

275 Battery Street, 29th Floor
San Francisco, CA 94111
Phone: 415-956-1000
Fax: 415-956-1008

And

Levin Papantonio

316 South Baylen St.
Pensacola, FL 32502
(850) 435-7000
And

Domina Law Group

2425 South 144th Street
Omaha, NE 68144
Telephone: (402) 493-4100
Facsimile: (402) 858-9212

And

Skikos, Crawford, Skikos & Joseph, LLP

One Sansome Street
Suite 2830
San Francisco, CA 94104
Telephone: (415) 546-7300
Facsimile: (415) 546-7301

And

Frazer PLC

1 Burton Hills Blvd.
Suite 215
Nashville TN 37215
Telephone: (615) 647-6464

CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of June, 2019, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system. Copies will be served upon counsel of record by, and may be obtain through, the Court CM/ECF Systems.

s/ Timothy Q. Purdon

Timothy Q. Purdon